

# Public Notice of Application for Permit

Regulatory Branch (1145)
Post Office Box 6898
Elmendorf AFB, Alaska 99506-0898

PUBLIC NOTICE DATE:

1 JUNE 2006

EXPIRATION DATE:

30 JUNE 2006

REFERENCE NUMBER:

POA-2006-742-4

WATERWAY:

Rock Creek

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: Alaska Gold Company, PO Box 640, Nome, Alaska 99762

AGENT: Charlotte MacCay, Bristol Environmental and Engineering Services Corporation, 111 W. 16<sup>th</sup> Avenue, Suite 301, Anchorage, Alaska 99501, telephone (907) 743-9366.

LOCATION: The proposed Rock Creek project site is located within sections 14, 15, and 22-26, T. 10 S., R. 34 W., Kateel River Meridian; Latitude 64.616° N., Longitude 165.455° W.; approximately 7 miles northwest of Nome, Alaska. The proposed Big Hurrah project site is located within sections 2, 3, 4, 5, 10 and 11, T. 10 S., R. 28 W., Kateel River Meridian; Latitude 64.646° N., Longitude 164.238° W.; approximately 50 miles northeast of Nome, Alaska.

PURPOSE: To operate two open pit gold mines.

WORK: The Rock Creek Mine Project is comprised of two open pit mines, the Rock Creek Mine/Mill Complex located north of Nome in the Snake River watershed and the Big Hurrah Mine located east of Nome in the Solomon River watershed. Approximately 13,697,436 cubic yards (cy) of fill would be placed in 414.5 acres of wetlands for the project.

The Rock Creek Mine/Mill Complex would consist of a 3,445 feet x 1,312 feet (50 acres) open pit gold mine, two non-acid generating development rock stockpiles, a gold recovery plant and a paste tailings storage facility. The process plant site area would include a three stage crushing and screening plant, a crushed ore stockpile, a mill facility, a maintenance shop, an administration and mine dry building, warehouse, explosive storage and fuel storage.

The North Stockpile area would contain approximately 4,230,000 cy of fill in 119 acres of wetlands. The South Stockpile would not be located in wetlands. Three Organic Overburden Stockpile Areas for the site would contain 2,278,450 cy of fill in 57.5 acres of wetlands. The site stormwater diversion channels would be constructed in 23 acres of wetlands with approximately 131,449 cy of fill. The Class V Injection System-Wells would be constructed in 7.5 acres of wetlands with approximately 32,700 cy of fill. The Class V Injection System-Gallery would be constructed in 8.5 acres of wetlands with 60,000 cy of fill. The Tailings Storage Facility would be

constructed in 94 acres of wetlands and contain 6,212,765 cy of fill and be used to store mill tailings and act as a storm water runoff buffer. The access road and onsite haul roads would be constructed in 49.5 acres of wetlands with 510,101 cy of fill material. The Infiltration Zone Acess Roads would be constructed in 6 acres of wetlands with 45,778 cy of fill material. The Plant Area would be constructed in 44.5 acres of wetlands with 117,716 cy of fill material.

The Big Hurrah Mine facilities would include an open pit gold mine [1,640 feet x 820 feet (22 acres) main pit and 656 feet x 328 feet (3 acres) satellite pit], a non-acid generating development rock stockpile, a temporary potentially acid generating development rock stockpile that would be backfilled into the pit at closure, a run-of-mine ore stockpile, a truck maintenance shop, a small administration and mine dry building, explosive storage and diesel fuel storage. The only site feature to occur in wetlands is the on-site access road/haul roads that would be constructed in 5 acres of wetlands with 78,477 cy of fill material.

ADDITIONAL INFORMATION: A Public Meeting is scheduled in Nome at Old St. Joe's, 407 Bering Street, Monday, June 26, 2006. Public Presentation and Discussion would be held from 6 to 8 PM with the meeting scheduled from 8 to 9 PM.

A mill would be constructed at the Rock Creek site to process ore from both sites at a rate of approximately 7000 tonnes per day. Standard drilling and blasting techniques would be used to break the ore. The blasted ore and development rock would be trucked to the processing plant, rock dumps or stockpile area. Ore would be processed with the use of a gravity circuit, followed by a flotation circuit on the gravity tails. The flotation concentrates and gravity middling concentrates would be processed on site using a cyanide leach and carbon recovery circuit. Leached ore from the cyanide in leach carbon in pulp recovery would be subjected to treatment for destruction of free cyanide and combined with the tailings from the flotation circuit. Cyanide would be converted to a stable, relatively non-toxic ferrocyanide complex during this process. The combined tailings would be processed in a paste tailing thickener and deposited in a tailing impoundment. Monitoring for cyanide would be conducted in accordance with the ADEC approved Monitoring Plan.

Ore milling rates for the Rock Creek site would be about 2.5 million tonnes per year (6,850 tonnes per day) with development rock stripping volumes in the range of 4 to 5 million tonnes per year (11,000 to 13,700 tonnes per day). The site would have a total footprint area of 601.5 acres, including 409.5 acres of wetlands. Approximately 13,618,959 cy of the total 22,818,403 cy would be placed in wetlands.

Ore milling rates for the Big Hurrah site would be approximately 550,000 tonnes per year (1,500 tonnes per day) with the stripping rate about 1.8 million tones per year (5,000 tonnes per day). Ore would be stockpiled and delivered to the Rock Creek Mill at an average rate of about 365,000 tonnes per year (1000 tonnes per day). The site would have a total footprint area of 154.5 acres, including 5 acres of wetlands.

Power would be delivered to the Rock Creek site via a 25 kilovolt powerline from the Nome Joint Utility System. The existing powerline along the Teller Highway would be upgraded from 12 kV to 25kV and a new line will be constructed along the Glacier Creek By-pass Road to the mine site. Backup power would be provided by a 500kW, 4.16kV diesel generator. Power to the Big Hurrah site would be provided with a diesel-electric generator sufficient to provide power for a shop, office and water handling facility. Access to the site from the Council Highway would be via an existing road. The access road would be upgraded to handle heavy equipment. The Rock Creek mine would be operated on a schedule of two-12 hour shifts per day for 365 days per year. The total project manpower is estimated at about 135 personnel. The Big Hurrah mine would operate with two-12 hour shifts per day for 3 to 6 months per year, but could be extended to a year round basis. Trucking may occur on a year round basis. Total projected manpower is estimated at approximately 50 personnel.

A Reclamation Plan has been prepared to meet ADNR reclamation requirements. The Reclamation plan requirements apply to areas disturbed by the proposed mining operations, including any mining disturbance occurring on previously mined areas.

 $\underline{\text{MITIGATION}}$ : The applicant has incorporated the following mitigation efforts to reduce impacts to the aquatic environment:

The Rock Creek Mine/Mill Complex has been designed to minimize the overall footprint of the facility and to avoid wetlands where feasible. Wetland mapping was conducted early in the process. As a result, as the conceptual design was finalized, development rock stockpiles were relocated to minimize wetlands impacts. Where the overall goal of avoiding wetlands could not be realized, attention was focused on minimizing disturbance to higher value willow wetlands by moving the stockpiles into the lower value open tundra wetlands.

The beneficiation process was designed to produce paste tailings in lieu of conventional tailings. The lower value associated with paste tailings requires less storage area for tailings disposal, which in turn results in less wetland impacts.

All road and foundation fill would utilize development rock and/or historical placer tailings so as not to cause additional disturbance in the creation of new quarries or material sites. The powerline linking the facility to the Nome Joint Utilities would be placed within the existing road right-of-way so as not to create a new wetlands disturbance area. Workers would reside in town and commute to site thereby eliminating the disturbance that would be associated with creating a man-camp.

Organic material would be stockpiled, to the extent feasible, for use in reclamation of the disturbed areas. A complete reclamation plan has been developed to ensure adequate reclamation of the disturbed areas. A pit lake with water quality similar to background would provide over-wintering habitat for fish after closure.

The Big Hurrah Mine facilities have all been located outside of wetlands. Development rock stockpiles were designed to avoid impacts to the local creeks and would be minimized by incorporating the practice of backfilling. This would occur within a small satellite pit to the extent practicable.

Organic material would be stockpiled, to the extent feasible, for use in reclamation and restoration of disturbed areas. A complete reclamation plan has been developed to ensure adequate reclamation of the disturbed areas. A pit lake with water quality similar to background would provide over-wintering habitat for fish after closure.

All on-site road and foundation fill would utilize development rock and/or historical tailings so as not to cause additional disturbance in the creation of new quarries or material sites.

The access road into the Big Hurrah Mine would be located primarily within an existing right-of-way. The access road is being designed in cooperation with the Alaska Department of Natural Resources Habitat Division, not only to locate the road where it least impacts the stream, but also to incorporate fishery enhancement components into the construction plan.

The majority of road fill would be comprised of historic tailings so as not to cause additional disturbance in the creation of new quarries or material sites. Historical placer tailings would be removed to bank-full height which simultaneously provides banks for stream establishment while allowing for flood attenuation capacity. Any additional tailings and fill material would come from pits strategically located within the floodplain. Pits would be designed and located to meet Habitat Division criteria, and would serve to enhance fish habitat for overwintering and spawning.

Stream channeling is presently disturbed due to historical dredging in the area. The main channel would be deepened to assist the stream in reclaiming a main channel in accordance with Habitat Division criteria.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Office of Project Management and Permitting, Department of Natural Resources has concurred with the applicant's certification.

<u>PUBLIC HEARING</u>: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There is an unevaluated property in the vicinity of the worksite. Two Cultural Resource Surveys were conducted by Northern Land Use Research, Inc. in January 2004 and September 2005 for the Rock Creek Area and Big Hurrah Creek Area. Because properties have been determined to lie within the project area, a determination of eligibility and, if needed, a determination of effect will be made in consultation with the State Historic Preservation Officer (SHPO). Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Engineer at this time. This application is being coordinated with SHPO. Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between the Federal government and Federally recognized Tribes. This notice invites participation by agencies, Tribes, and members of the public in the Federal decision-making process. In addition, Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Engineer during the public comment period.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area. Preliminarily, the described activity will not affect threatened or endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844).

This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. et seq and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS).

We have determined that the described activity within the proposed area will not adversely affect EFH, including anadromous fish and federally managed fishery resources.

#### SPECIAL AREA DESIGNATION: None.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Jim Wolfe at (907) 753-2712, toll free from within Alaska at (800) 478-2712, or by email at james.wolfe@poa02.usace.army.mil if further information is desired concerning this notice.

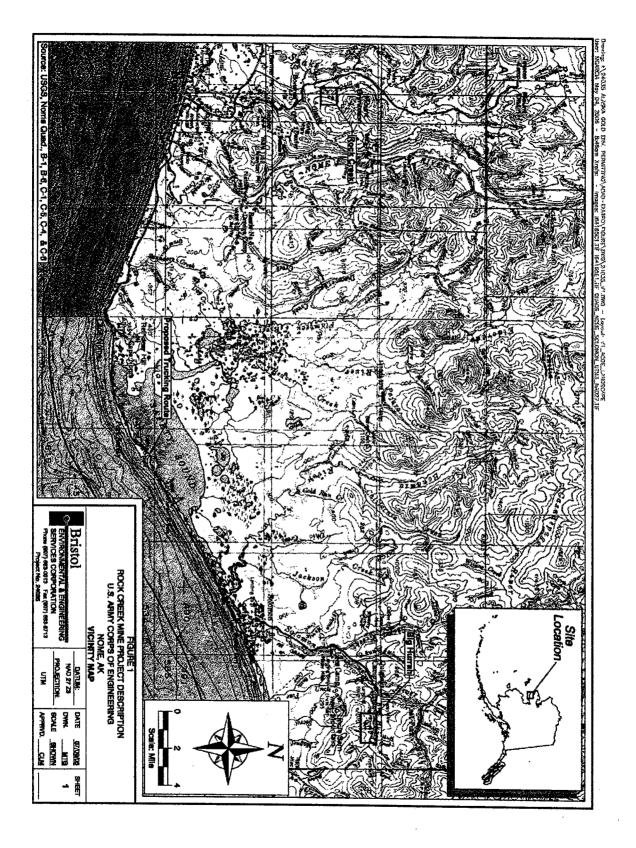
AUTHORITY: This permit will be issued or denied under the following authority:

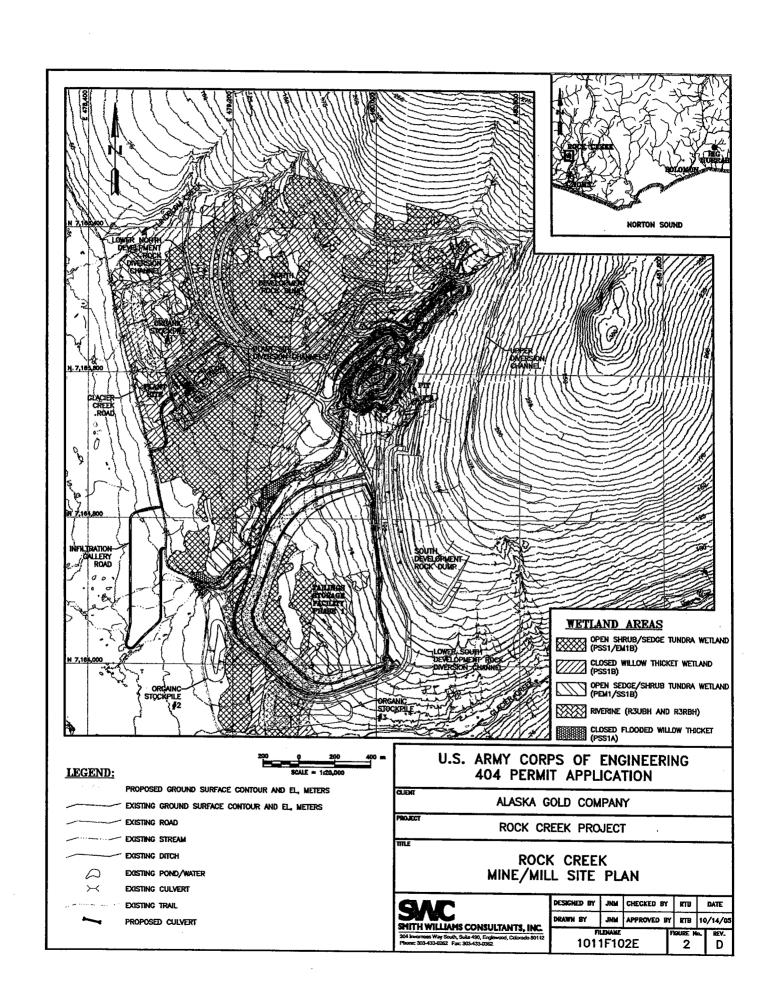
(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

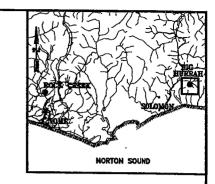
A plan, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, and Notice of Application for State Water Quality Certification are attached to this Public Notice.

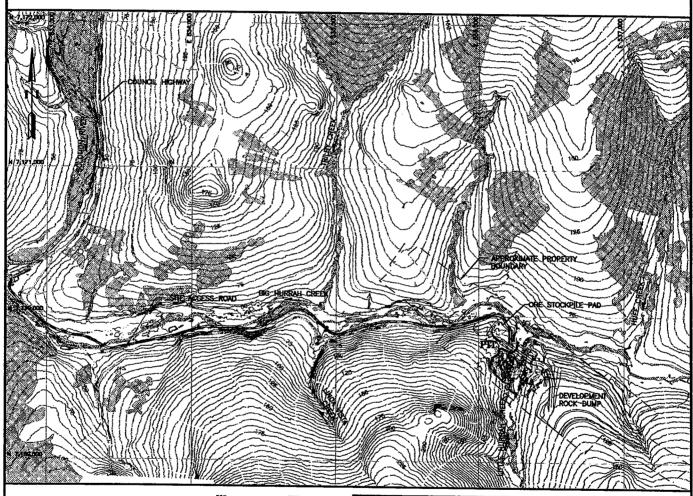
District Engineer U.S. Army, Corps of Engineers

Attachments

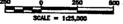








LEGEND:



EXISTING GROUND SURFACE CONTOUR AND EL, METERS

PROPOSED GROUND SURFACE CONTOUR AND EL, METERS

---- Existing road

EXISTING STREAM

EXISTING DITCH

EXISTING POND/WATER

WETLANDS

PROPOSED CULVERT

### U.S. ARMY CORPS OF ENGINEERING 404 PERMIT APPLICATION

" ALASKA GOLD COMPANY

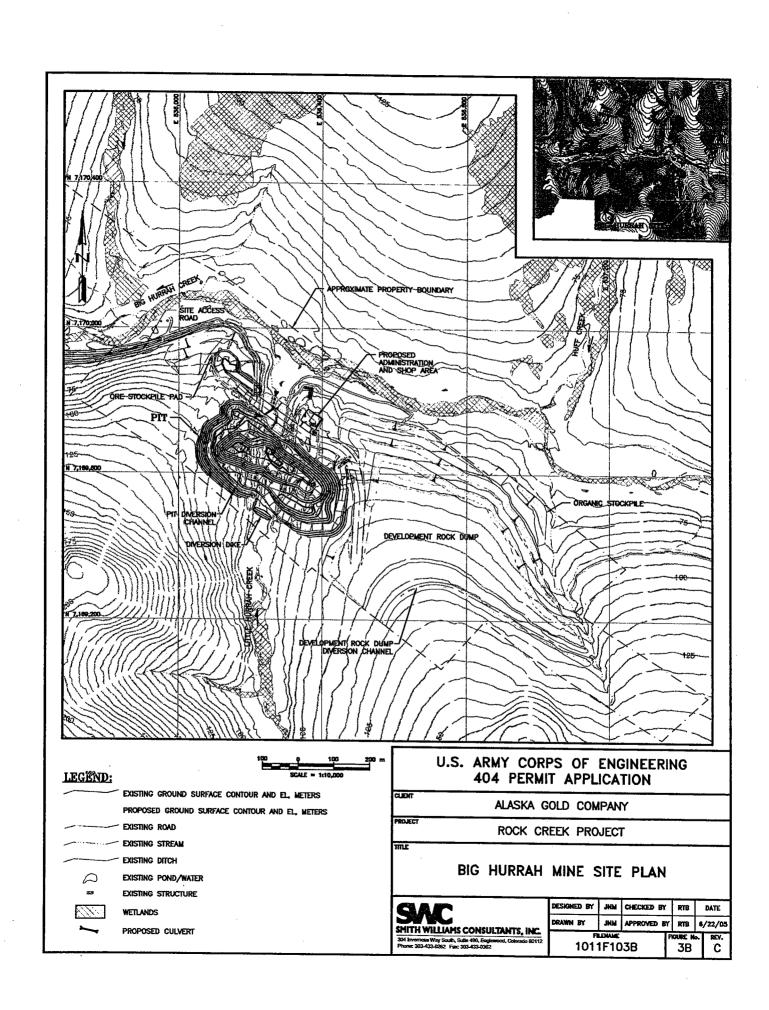
ROCK CREEK PROJECT

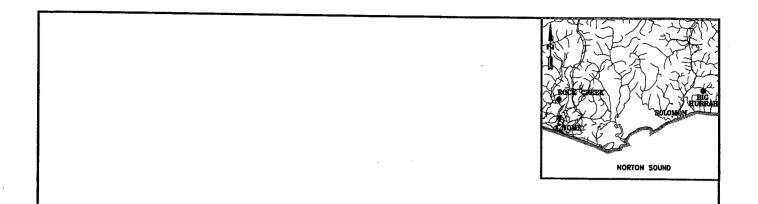
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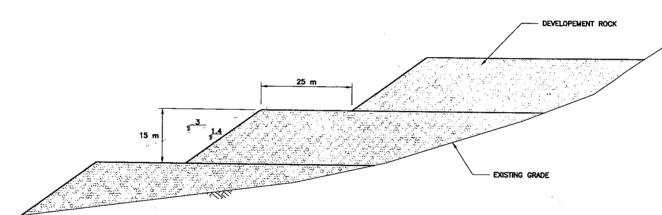
BIG HURRAH AND ACCESS ROAD OVERVIEW

SWC	İ
SMITH WILLIAMS CONSULTANTS, INC.	ŀ
304 Inverness Way South, Suite 490, Englemood, Colorado 80112	ı

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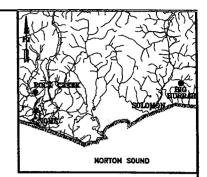
## U.S. ARMY CORPS OF ENGINEERING 404 PERMIT APPLICATION

ALASKA GOLD COMPANY
PROJECT ROCK CREEK PROJECT

CROSS SECTION OF A TYPICAL DEVELOPMENT ROCK STOCKPILE



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PROPOSED FINISHED GRADE

NATURAL GROUND SURFACE

ALLUVAL OVERBURDEN

PLANT SITE SECTION

#### U.S. ARMY CORPS OF ENGINEERING 404 PERMIT APPLICATION

ALASKA GOLD COMPANY

ROCK CREEK PROJECT

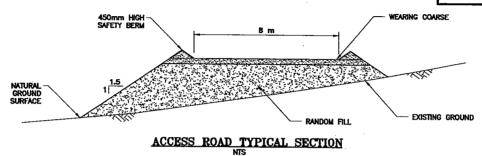
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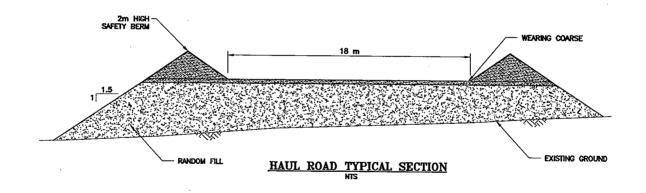
CROSS SECTION OF A TYPICAL FOUNDATION FILL

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SMITH WILLIAMS CONSULTANTS, INC.
304 (Invernors Way South, Suide 400, Englewood, Colonado (80112
Phone: 303-433-0362 Fac: 303-433-0362

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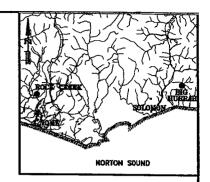


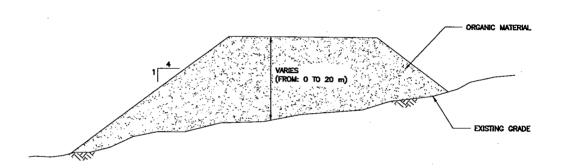


# U.S. ARMY CORPS OF ENGINEERING 404 PERMIT APPLICATION CLIENT ALASKA GOLD COMPANY PROJECT ROCK CREEK PROJECT TITLE CROSS SECTION OF A TYPICAL ON SITE ACCESS ROAD

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SMITH WILLIAMS CONSULTANTS, INC.	_
304 Inverness Way South, Sutte 490, Englewood, Colorado 80112 Phone: 303-433-0262 Faic: 303-433-0362	

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#### TYPICAL ORGANIC STOCKPILE

#### U.S. ARMY CORPS OF ENGINEERING 404 PERMIT APPLICATION

CLIENT

ALASKA GOLD COMPANY

PROJECT

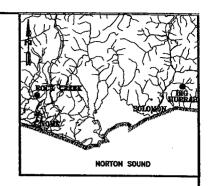
ROCK CREEK PROJECT

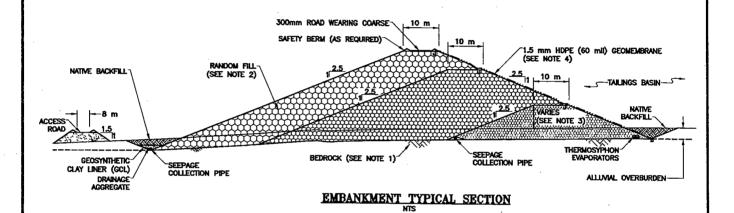
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CROSS SECTION OF A TYPICAL ORGANIC STOCKPILE



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#### LEGEND:

PHASE 1, STAGE 1

PHASE 1, STAGE 2

PHASE 1, STAGE 3

#### NOTES:

- FOUNDATION AREA MUST BE EXCAVATED TO NON-ICE RICH BEDROCK. FOUNDATION TO BE INSPECTED AND APPROVED BY THE ENGINEER.
- EMBANKMENT RANDOM FILL SHALL CONSIST OF DEVELOPMENT ROCK FROM THE MINE PIT DEVELOPMENT.
- 3. EMBANKMENT HEIGHTS VARY ALONG ALIGNMENT. MAXIMUM HEIGHTS ARE: 9 m FOR STAGE 1, 20 m STAGE 2 AND 24 m FOR STAGE 3.
- 4. A 300 mm THICK LAYER OF LINER BEDDING MATERIAL UNDERLIES THE HOPE GEOMEMBRANE.

#### U.S. ARMY CORPS OF ENGINEERING 404 PERMIT APPLICATION

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ALASKA GOLD COMPANY

PROJECT

**ROCK CREEK PROJECT** 

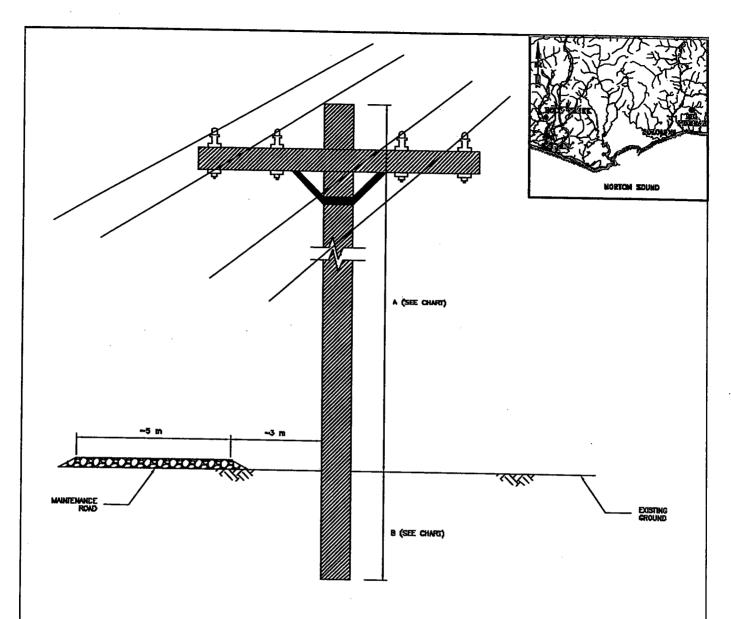
TILE

CROSS SECTION OF THE ROCK CREEK TAILINGS STORAGE FACILITY DAM



SMITH WILLIAMS CONSULTANTS, INC.	
304 Inverness Way South, Sutte 490, Englowood, Colorado 80112 Phone: 303-433-0262 Fest: 303-433-0362	

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	1F1		FIGURE N	REV.	



#### NOTES:

- 1. MREDDWENT DEPTH (B) IS EQUAL TO 10% OF TOTAL ABOVE GROUND HEIGHT, PLUS AN ADDITIONAL 1.2 METERS.
- 2. MAINTENANCE ROAD NOT REQUIRED AT ALL LOCATIONS.

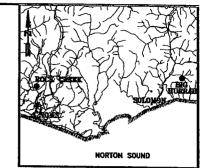
POLE SECTION	A	В
NIUS POWER PLANT TO BELTZ CORNER	13.7	2.5
BELTZ CORNER TO MINE ROAD	13.7	2.6
MINE ROAD	122	2.4

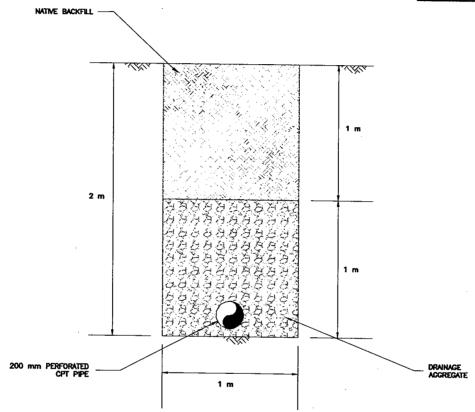
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COLUMN TO SERVICE STREET	ALASKA GOLD COMPANY
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CROSS SECTION OF A TYPICAL UTILITY POLE SETTING

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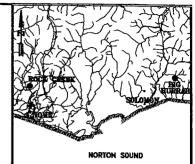
ROCK CREEK PROJECT

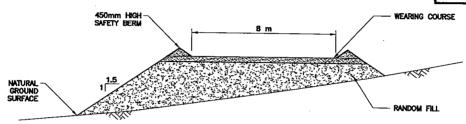
TITLE

# CROSS SECTION OF A TYPICAL CLASS V INJECTION SYSTEM

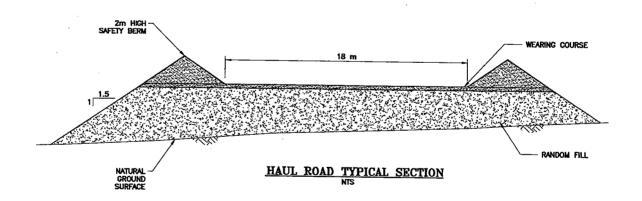


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#### ACCESS ROAD TYPICAL SECTION



TITLE

### U.S. ARMY CORPS OF ENGINEERING 404 PERMIT APPLICATION

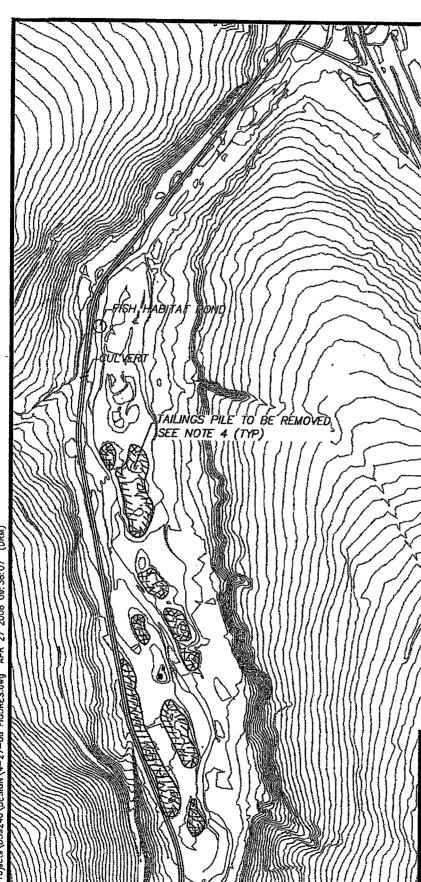
ALASKA GOLD COMPANY

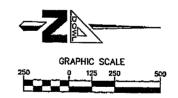
ROCK CREEK PROJECT

CROSS SECTION OF A TYPICAL BIG HURRAH ROAD FILL

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MITUWIN LANG CONGULTANTO INC.	DRAWN BY		
MITH WILLIAMS CONSULTANTS, INC.			
304 Inverness Way South, Sulte 490, Englewood, Colorado 80112 Phone: 303-433-0262 Fax: 303-433-0362	10		

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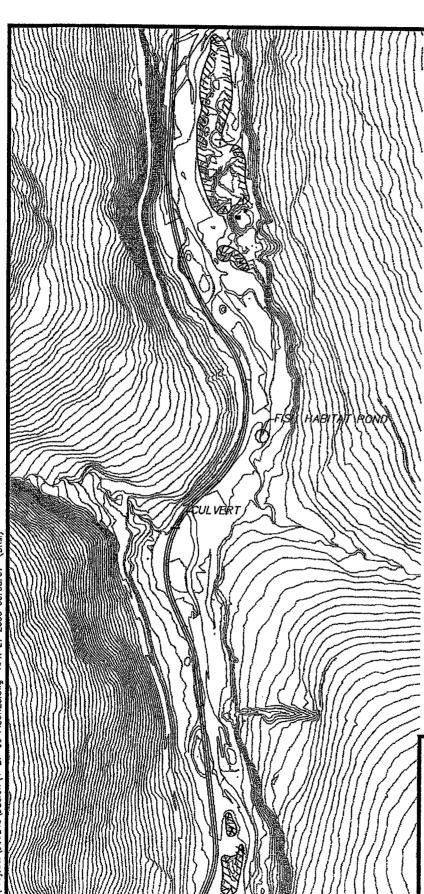


PROJECT: BIG HURRAH CREEK

LOCATION: NOME, ALASKA

WATERBODY: BIG HURRAH

DATE: 04/27/06 SHEET: FIGURE 12a







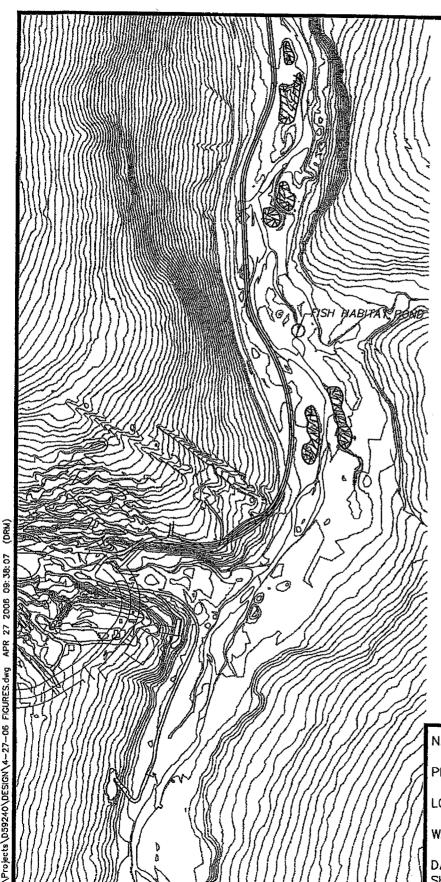
PROJECT: BIG HURRAH CREEK

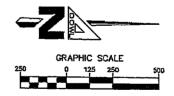
LOCATION: NOME, ALASKA

WATERBODY: BIG HURRAH

DATE: 04/27/06 SHEET: FIGURE 12b

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PROJECT: BIG HURRAH CREEK

LOCATION: NOME, ALASKA

WATERBODY: BIG HURRAH

DATE: 04/27/06 SHEET: FIGURE 12c

ASSUMES THAW STABLE GROUND DEPTH MAY INCREASE FOR THAW UNSTABLE GROUND



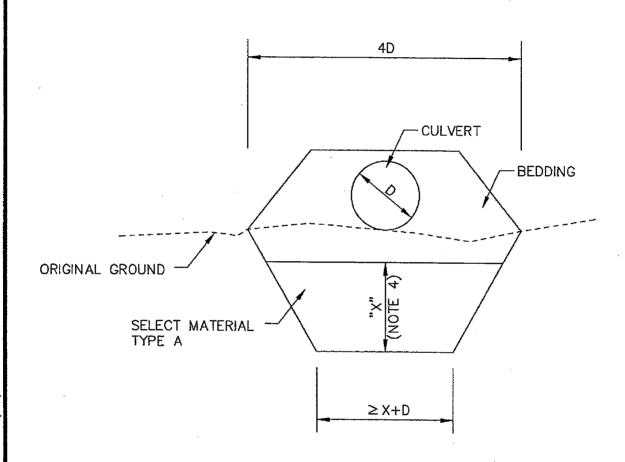
NAME: BIG HURRAH MINE ACCESS ROAD

PROJECT: BIG HURRAH CREEK

LOCATION: NOME, ALASKA

WATERBODY: BIG HURRAH

DATE: 04/27/06 SHEET: FIGURE 13





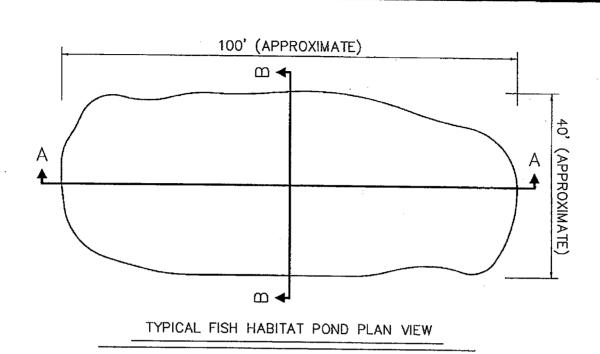
PROJECT: BIG HURRAH CREEK

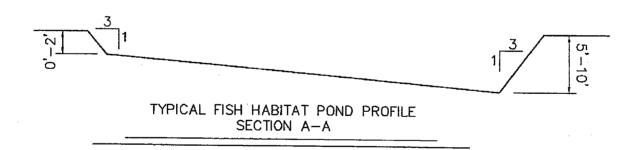
CULVERT FOUNDATION DETAIL

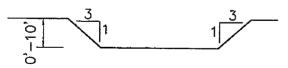
LOCATION: NOME, ALASKA

WATERBODY: BIG HURRAH

DATE: 04/27/06 SHEET: FIGURE 14







TYPICAL FISH HABITAT POND CROSS SECTION SECTION B-B



NAME: BIG HURRAH MINE ACCESS ROAD

PROJECT: BIG HURRAH CREEK

FISH HABITAT POND DETAIL

LOCATION: NOME, ALASKA

WATERBODY: BIG HURRAH

DATE: 04/27/06 SHEET: FIGURE 15

# STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPARTMENT OF NATURAL RESOURCES
OFFICE OF PROJECT MANAGEMNT AND PERMITTING

ALASKA COASTAL ZONE MANAGEMENT 550 WEST 7<sup>TH</sup> AVENUE, SUITE 1660 ANCHORAGE, ALASKA 99501-3568

# NOTICE OF APPLICATION FOR CERTIFICATION OF CONSISTENCY WITH THE ALASKA COASTAL MANAGEMENT PROGRAM

Notice is hereby given that a request is being filed with the Office of Project Management and Permitting for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No. **POA-2006-742-4, Rock Creek**, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

The Office of Project Management and Permitting requests your comments, particularly on the proposed project's consistency with the affected local coastal district management program. For more information on the consistency review contact OPMP at (907) 269-7470 or (907) 465-3562, or visit the ACMP web site at http://www.gov.state.ak.us/gdc/Projects/projects.html.

# STATE OF ALASKA

OFFICE OF THE GOVERNOR

#### **DEPT. OF ENVIRONMENTAL CONSERVATION**

DIVISION OF WATER
401 Certification Program
Non-Point Source Water Pollution Control Program

#### NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. <u>POA-2006-742-4</u>, <u>Rock Creek</u>, State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify that there is reasonable assurance that the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

Department of Environmental Conservation WQM/401 Certification 555 Cordova Street Anchorage, Alaska 99501-2617 Telephone: (907) 269-6281

FAX:

(907) 269-7508